

## REMARKS

The office action now includes four separate Section 102 rejections based on different references. None of those references teach partitioning a non-volatile storage media into two partitions and storing metadata corresponding to the data stored in one partition and the second partition. None of those references teach accessing the second partition section upon a system boot.

With respect to the rejection under Section 102, based on March, it is respectfully submitted that none of the cited sections have any bearing on either of the two recited elements. The assertion that the associated file structure is therefore considered metadata stored in the second partitioned section is inconsistent with the definition of metadata and without any basis in the reference. The reference has nothing to do with metadata or such partitions.

The cited reference to Raju, cited under Section 102, has the same deficiencies. None of the cited material has any bearing on the two above recited elements of the claim. The assertion that shadow copies of the streams that are flushed to the disk are considered making up the first partition section is without any basis. The claim construction embodied in such an assertion is unsupportable and should be reconsidered. The shadow copies of the stream have nothing to do with partitions. Similarly, the assertion that flushing the transaction table to the disk is considered metadata making up the second partition section is certainly baseless. It has nothing to do with partitions or metadata.

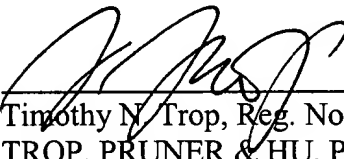
Unlike March, Raju at least refers to metadata at the top of column 3, defining it as data that describes other data such as objects or files. The concept of storing data in one partition and storing metadata for that partition in a different partition is not taught in either of these references.

Likewise, the reliance on Kumar is not understood. None of the material cited in Kumar has any bearing on the above two claim limitations. There is no discussion of partitions or metadata in the cited reference. It is difficult to see what, if any, relevancy it might have. The assertion that the boot strap code 214 is considered data making up a first partition section is without any basis. The assertion that configuration is data 216 is considered metadata making up the second partition section is equally baseless. There are no two partitions and there is no metadata. The configuration data referred to has nothing to do with data stored in a different partition section and there are no section partitionings described in the cited reference.

Also unsupported are the rejections of the dependent claims.  
Therefore, reconsideration is requested.

Respectfully submitted,

Date: November 29, 2005

A handwritten signature in black ink, appearing to read "Timothy N. Trop", is written over a horizontal line.

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